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Attorneys for Defendants, Premier Orthopaedic and Sports Medicine Associates of Southern New Jersey, LLC, trading as Premier Orthopaedic Associates, Premier Orthopaedic Associates Surgical Center, LLC, and Kimberley Yvette Smith, M.D., a/k/a Kimberley Yvette Smith-Martin, M.D.

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS

IN RE: NEW ENGLAND COMPOUNDING PHARMACY, INC. PRODUCTS LIABILITY LITIGATION	MDL No. 1:13-md-2419-RWZ
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PREMIER ORTHOPAEDIC and SPORTS MEDICINE ASSOCIATES OF SOUTHERN NEW JERSEY, LLC, trading as PREMIER ORTHOPAEDIC ASSOCIATES, PREMIER ORTHOPAEDIC ASSOCIATES SURGICAL CENTER, LLC, and KIMBERLEY YVETTE SMITH, M.D. a/k/a KIMBERLEY YVETTE SMITH-MARTIN, M.D.'s ASSENTED TO MOTION FOR EXTENSION OF TIME TO FILE ANSWERS

Premier Orthopaedic and Sports Medicine Associates of Southern New Jersey, LLC, trading as Premier Orthopaedic Associates, Premier Orthopaedic Associates Surgical Center, LLC, and Kimberley Yvette Smith, M.D. a/k/a Kimberley Yvette Smith-Martin, M.D. (Hereinafter "the defendants") now move to extend the deadline for filing answers to the already filed complaints in several individual cases associated with this MDL. The PSC has provided consent for an extension of 60 days to file answers to these complaints.

As the Court is aware, previously the defendants have filed motions to dismiss on the pleadings. These motions have been fully briefed and argued before this Honorable Court. On August, 29, 2014 Judge Zobel authored an opinion and decision granting in part and denying in part the motions to dismiss. As a result of this decision the defendants must answer the remaining counts of the complaints by September 12, 2014. The moving defendants have met

and conferred through email exchange with the plaintiffs and have agreed to this sixty day extension of this deadline.¹

WHEREFORE, it is respectfully requested that this Honorable Court enter an order extending the time by which the defendants must answer from September 12, 2014 to November 12, 2014.

Respectfully Submitted,

BLUMBERG & WOLK, LLC

Attorneys for Defendants, Premier Orthopaedic and Sports Medicine Associates of Southern New Jersey, LLC, trading as Premier Orthopaedic Associates, Premier Orthopaedic Associates Surgical Center, LLC, and Kimberley Yvette Smith, M.D., a/k/a Kimberley Yvette Smith-Martin, M.D.

Dated: 9/12/14

By: /s/ Christopher M. Wolk, Esq.
Christopher M. Wolk, Esq.

¹ The PSC has requested that the email agreement be made more formal by having the parties sign a formal document to memorialize the agreement. The defendants have not objected to that request however at the time of the filing of this motion, the PSC has not presented that formal document to the defendants.

CERTIFICATE OF SERVICE

I, Christopher M. Wolk, Esq., hereby certify that I caused a true and correct copy of the Opposition to Plaintiffs' Steering Committee's Motion for Entry for Proposed Case Management Order on behalf of defendants, Premier Orthopaedic and Sports Medicine Associates of Southern New Jersey, LLC, trading as Premier Orthopaedic Associates, Premier Orthopaedic Associates Surgical Center, LLC, and Kimberley Yvette Smith, M.D., a/k/a Kimberley Yvette Smith-Martin, M.D., to be filed electronically via the Court's electronic filing system.

Dated: 9/12/14

By: /s/ Christopher M. Wolk, Esq.
Christopher M. Wolk, Esq.